

May 24, 2007



## **TRANSCRIPT**

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### **MONTGOMERY COUNTY COUNCIL**

Councilmember Marilyn Praisner, President  
Councilmember Phil Andrews  
Councilmember Marc Elrich  
Councilmember Nancy Floreen  
Councilmember Duchy Trachtenberg

Councilmember Michael Knapp, Vice-President  
Councilmember Roger Berliner  
Councilmember Valerie Ervin  
Councilmember George Leventhal



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Council President Praisner,

Good morning, ladies and gentlemen. Good morning and welcome to the May 24th meeting of the Montgomery County Council. We have an opportunity first to recognize, before we get into the budget actions, the achievements of Thomas Wootton High School's Lacrosse Team. And I'm going to ask Councilmember Andrews to come forward. And I think it's terrific that you guys are here this morning since I understand you were still performing last night, right? Yesterday? Terrific!

Councilmember Andrews,

Right. That's right. Come on up here, everybody. That is just about everybody. (Laughter) All right. I would like to have the principal as well. All right. Well, good morning. It's important to celebrate breakthroughs. And we had a major breakthrough in high school sports this year in Montgomery County with the Wootton Patriot's Boy's Lacrosse Team being the first lacrosse team in Montgomery County history to go to the State finals, to the final game of the tournament -- in fact, going to the World Series -- going to the Super Bowl. This is an important milestone. It was a long time coming. It took a lot of work on the part of the team. They had a sparkling 18 and 1 record this year -- a tremendous record -- a lot of teamwork. Lacrosse is a tough game requiring a lot of agility, stamina, quickness, a little bit of fearlessness, and great hand/eye coordination and teamwork. So a lot of different skills go into making a good lacrosse player. And you've got to be able to run all day as well. So in addition to that, I know that we have a lot of variety within the grades here. We've got 4 freshmen on the team and about 17 seniors and a mix of sophomores and juniors. So it's fair to say that this team is going to be a team to contend with for a long time to come. I want to congratulate all those and wish the best to the seniors who are heading onto -- many to college next year. And I know some who will be playing college lacrosse. It's my pleasure, on behalf of the County Council, to recognize the team's success this year. And I want to introduce the staff of the school who helped make this happen. And then I'll have the team members introduce themselves after I read the proclamation. But we have the principal, Michael Doran, here. There he is. I'm sorry. And we've got Rhett Ross, the Athletic Director; Colin Thomson, the Head Coach; and Dave Hafer, the Assistant Coach. Congratulations on a terrific team effort. Let me read the proclamation, and then I'll have the members of the team introduce themselves and just describe their position. All right. The County Council of Montgomery County, Maryland, proclaims, WHEREAS, championship seasons are the result of hard work, focus and determination -- qualities the Wootton High School Patriots boys lacrosse team demonstrated in abundance in its run to the Maryland 4A/3A state championship game; and WHEREAS, with a 15 and 8 victory over Springbrook High School, the Patriots won the Maryland 4A/3A West Region title; and WHEREAS, by defeating Dulaney High School, 9-7, in a state semi-final, Wootton became the first Montgomery County boys team to ever reach the 4A/3A state championship game -- that was just last Friday night -- and, WHEREAS, in the title game against Severna Park, the Patriots proudly played hard every minute to finish as the Maryland 4A/3A runner-up and complete the best season in school history at 18 and 1; and WHEREAS, all the players, their families and Coach Colin Thomson deserve hearty kudos for setting their sights high and realizing their dreams; and WHEREAS, through their own hard work and dedication, the Wootton Patriots have set a new level



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of achievement in Montgomery County boys high school lacrosse; NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Council congratulates the young men of the Wootton High School Boys Lacrosse Team, AND LET IT BE FURTHER RESOLVED that the Montgomery County Council joins with their coaches, parents and the entire Wootton community in recognizing this wonderful achievement. Presented this day, May 24th, 2007, signed by County Council President Marilyn Praisner. Congratulations to all of you. (Applause) Principal Doran, would you like to say a few words?

Principal Michael Doran,  
I'll say a few words. The last time I saw these young men they were hot and sweaty, nasty looking, and a little disappointed; but they shouldn't have been. And today I think though you can see, they've recovered. They dress up beautifully. And I think sports does play a part, a big part I think, in character building. I don't think that's a myth; I think it's true. We just asked the students at the last minute yesterday after their disappointment – just come here today – the time, the place – just dress up. That was all. They're all here and look at them. So I think that's a testament to the Coach, as well as the Athletic Department, and the school. I want to thank the Council, too, because I do believe there's money now for JV lacrosse in our programs. And I think that was the missing piece for Montgomery County public schools – not just to get to the final, but to do what we will do in the future – get to the final and win it. So I wish the seniors well. Come back and visit us. And I thank you very much for giving us this opportunity.

Councilmember Andrews,  
Well, you're welcome. And congratulations on Wootton's incredible academic success as well. I also want to give the chance to the Coach, Colin Thomson, to say a few words.

Head Coach Colin Thomson,  
My voice is still a little hoarse from last night. (Laughter) I want to thank the Council as well for recognizing the boys' hard work and their dedication to the sport. They've worked really hard all season, and their record stands. And I want to thank all the boys for all their hard work throughout the season. And how proud we are as a coaching staff and as a school for their achievement this year. Thank you very much.

Councilmember Andrews,  
Good work. Good luck next year as well. Let's have another round of applause. (Applause) Okay. Let's start over here. And just come up to the closest mike. All of these mikes are on. So come to the mike closest. Tell us your name and the position you played and your number.

Jeff Ford,  
I'm Jeff Ford. I'm a freshman. I'm number 32 and I play defense.

Ben Heiber,  
Hi. I'm Ben Heiber. I'm midfield, 12th grader, and I'm number 26.



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Nadav Rindler,

I'm Nadav Rindler. I'm a senior attackman. I'm number 18.

Joe Hanacek,

Joe Hanacek. I'm a middie and I'm a junior.

Jason Senter,

Jason Senter, number 35, freshman defense.

Yanni Rindler,

Yanni Rindler, number 22, sophomore goalie.

Hanna Willison,

Hanna Willison, senior, team manager, team mom.

Matt Mitchell,

Matt Mitchell, senior goalie, number 34.

Brendan Ray,

Brendan Ray. I'm a defenseman, number 2.

Jordan Montesano,

I'm Jordan Montesano. I'm a junior midfielder, number 8.

Patrick Bailey,

I'm Patrick Bailey, number 4, junior midfielder.

Tommy Whitlock,

Tommy Whitlock, number 5, junior defense.

Justin Lee,

Justin Lee, number 27, senior attack.

Steven Silverberg,

Steven Silverberg, number 33, senior goalie.

Councilmember Andrews,

What did Johnny Drama say?

Steven Silverberg

Victory. (Laughter)

Tyler Carlin,

Tyler Carlin, senior midfielder, number 29.



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1 Zac Levin,

2 Zac Levin, junior, manager.

4 Mike Cresham,

5 Mike Cresham, number 20, sophomore midfielder.

7 Sam Futrovsky,

8 Sam Futrovsky, number 17, senior midfielder.

10 Jonathan Keslow,

11 Jonathan Keslow, number 9, senior captain defense. (Laughter)

13 Sam Burns, 28

14 I'm number 7, Sam Burns, senior attackman.

16 Ben Engleman,

17 Number 25, also senior captain, midfield. (Laughter)

19 Jon Yates,

20 Jon Yates, number 6, senior middle -- also a captain.

22 Justin Dhyani,

23 Justin Dhyani, number 42, sophomore midfielder.

25 Sam Veihmann,

26 Sam Veihmann, number 41, junior attack.

28 Max Rothschild,

29 I'm Max Rothschild, number 3, junior midfielder.

31 Matt Schreiber,

32 Matt Schreiber, number 39, junior attack.

34 Ricky Hafer,

35 Ricky Hafer, senior attack. I'm also a captain. Number 19.

37 Matt Canter,

38 Matt Canter, number 11, sophomore defense.

40 Sean Gold,

41 Sean Gold, number 44, senior defenseman.

43 David Yagiom,

44 David Yagiom, number 40, freshman defense.



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1 Sam O'Daniel,

2 Sam O'Daniel, number 28, junior midfielder.

4 Brett Burka,

5 Brett Burka, number 15, junior midfielder.

7 Michael Greenberg,

8 Michael Greenberg, number 16, junior defense.

10 Harry Shay,

11 Harry Shay, junior attack, number 36.

13 John Cohen,

14 John Cohen, number 12, sophomore attack.

16 Reid Shepard,

17 Reid Shepard, number 24, freshman defense.

19 Councilmember Andrews,

20 Great! Everybody? All right. Good job. Now, the toughest part of your season is going to  
21 be all to fit in one picture. All right. So let's make two or three rows here, basically as  
22 tight as you can get.

24 Cameraman,

25 Everybody make sure you can see me. If you're behind somebody, I won't be able to  
26 see you. Move around. You've got to remember, we're not in the game anymore; so  
27 you're allowed to smile. Let's take a few of these. Pretty good. A few more. Okay, now  
28 really smile. This is for real. All right. (Applause)

30 Council President Praisner,

31 Okay. Thank you, guys. If you could leave quietly, we do have a budget we have to vote  
32 on. Okay. Thank you. All right. We do have actions on some budgets this morning. And  
33 Councilmember Trachtenberg asked for a point of personal privilege. Councilmember  
34 Trachtenberg.

36 Councilmember Trachtenberg,

37 Council President, last week when we were taking the final vote on the budget, you  
38 expressed some concerns over estrangement in family situations. (Laughter) And as  
39 you've noted many times, this Council is a very serious body. So we took that very  
40 seriously. We took it to heart. And I guess as the resident clinician, it was my task to try  
41 to find some innovative ways to address those concerns. So I'm here today with my  
42 colleagues to give to you several items.

44 Council President Praisner,

45 Uh-oh.



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Councilmember Trachtenberg,

One of our councilmembers suggested that we purchase some silk sheets. Then there was a disagreement about the color – what would be the best –

Council President Praisner,  
And the cost!

Councilmember Trachtenberg,

Right. Another colleague suggested we buy Nats tickets; but I encouraged them that that was a very bad idea given that you were a Yankee fan. It was also discussed that we could buy some Strathmore tickets, but we couldn't really decide collectively what the right kind of music would be.

Council President Praisner,

So we just went back to the basics. So what I'm giving you to today is a gift certificate for Addie's Restaurant as an initial first step in re-engagement. So I get to know my husband again.

Councilmember Trachtenberg,

That's right. And the exciting thing about this gift certificate -- it's from an establishment that's zero – they serve zero trans fats. So we wanted to make sure that we were keeping -- Well, if they didn't, they would soon. (Laughter) And in this is a small collection of mood enhancers, which you can look at privately if necessary.

Council President Praisner,  
Oh, all right.

Councilmember Trachtenberg,

But I know that I speak for my colleagues when I thank you for your leadership on the budget preparation. I want you to know that when you make statements like that, we take them, indeed, very seriously.

Council President Praisner,

I can understand that. It's a good thing my husband didn't hear it.

Council Vice President Knapp,  
Be careful what you say next.

Council President Praisner,

Be careful what I say. Yeah, absolutely. Let's get back to being serious. Okay. We have several actions to take this morning. Number one is action and approval – well, the first group are approval resolutions for the FY08 Capital Budget and amendments to the FY07-12 Capital Improvements Program. And the first one is County Government with the addendum on the Montrose Parkway West Project and the Capital Budget Reserve. Is there a motion? Councilmember Floreen, second by Vice President Knapp. All in favor -- oh – Councilmember Berliner.



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Councilmember Berliner,

Madame President, I ask your guidance as to when to address the memorandum put out by staff with respect to the Capital Budget Reserve issues. Is this the appropriate time with respect to that item?

Council President Praisner,

Actually, it could be done at any time in this process, I believe.

Councilmember Berliner,

All right. If that's so, Madame President, I just wanted to observe that staff has advised us that due to a technical error -- technical adjustment -- that they have found approximately \$6 million more. Is that the correct number? \$6 million to \$7 million more in CIP dollars that are now available to us that staff has suggested, I believe, be put into the reserve. I wanted to share with my colleagues that with respect to our budget deliberations that that aspect of our budget deliberations that I found most painful was the part where we chose to use the dollars that came to us from the State that were in excess of our expectations regarding school construction dollars -- and chose, for legitimate reasons, to use that for the School's Operating Budget to backfill the gap that otherwise would have existed. And that was something on the order of \$8 million, as I recall the dollars. My personal view -- and I have spoken with Dick Hawes of MCPS with respect to this matter -- is that we should use this \$6 million to \$7 million that we have now found for CIP projects for the School System. And we specifically suggest that we use it for systemic capital maintenance work -- which is bathroom renovations, heating, and air conditioning and venting -- so we can get better energy efficiency, indoor air quality sets of issues, and roof replacement. All of those things fall within the category of systemic capital maintenance work. So what I am hopeful is that we will get from MCPS, a CIP Amendment that would then allow us to use these dollars in '08 for these very purposes, should we choose to. And I understand that some of my colleagues may view that we should use these dollars in other ways. But my own personal view is that we should use it in this particular manner given that this was among the few issues that really created a bit of a storm, if you will. And I think that this is a very clean way of addressing that issue -- clean bathrooms, okay -- and something that the community has strong views about and for very good reason -- that we have such a backlog in this area. So to be able to accelerate that work, I'm advised by Mr. Hawes that they could do so in a manner that the Board would be able to take this matter up in July, would be able to forward it to us shortly thereafter, and be able to do the work on the same time schedule that they do the other '08 capital work. So that's my personal suggestion to my colleagues; and that I hope that MCPS would come forward to us with that opportunity, which I understand we need in the form of a CIP Amendment.

Council President Praisner,

That is a comment by a councilmember, and a message to the School System. Certainly when we get to those issues, I would assume that if there is \$6 million in current revenue or available in the Capital Budget that -- Park and Planning is standing here right now, and our parks very well may have some suggestions, as may the





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County Government – all of which may submit requests for amendments to the Capital Budget. Councilmember Elrich.

Councilmember Elrich,

I have to say that I'm generally supportive of what Roger wants to do here. I think that that was the notable thing about the Capital Budget hearing that we heard from the schools. It was certainly next to the dollar funding of the Operating Budget. The thing I got a large, large number of e-mails was about our commitment to the Capital Program. I think that it's just critical that we – we know we have this huge backlog of maintenance in the schools. We know that we're going to have less money next year than this year – and probably in the out years. And I would like to see us take this and try to dig into that backlog -- particularly on things like the bathroom issue. It's just embarrassing to have to deal with that. And I don't think it's a good message to the parents or to the students. I think that whatever we can do to accelerate that, we should. There may be some other competing things when it comes up; and I imagine we'll debate them all. But I think that Roger's effort to emphasize getting caught up on the schools is certainly, in my mind, a critical thing to do.

Council President Praisner,  
Councilmember Floreen.

Councilmember Floreen,

Thank you. I think that's a great suggestion; however, there are a myriad of other great suggestions. And that's why we have a year devoted to the Capital Budget. So I wanted to simply to make that observation. My colleagues will recall in reconciling this budget, there are dollars that we moved out that had to do with street tree maintenance, that had to do with sidewalks, that had to do with a lot of the key neighborhood improvements that actually go to benefiting schools to a certain degree as well. And we're going to have some issues coming back to us actually at Park and Planning's level -- I think, Mrs. Praisner, as I recall -- having to do with maintenance of ballfields in the schools and the like that were contracts and obligations that part of Park and Planning are going to come back to us to be revisited. So I just wanted to make the observation that there are a lot of key issues that we'll need to continue to work on to address our capital needs. And I think it's great to get ideas out there, but there's quite a laundry list as well.

Council President Praisner,  
Vice President Knapp

Council Vice President Knapp,

Thank you, Madame President. I also support conceptually what Mr. Berliner has just proposed. Obviously, it's something that we've discussed; and I think it's critically important that we continue to focus on the capital projects within the School System. Just one minor correction I would put out there is that the resources we got from the State did go for capital projects. It freed up current revenue for us to do other things. And I recognize there's a lot of moving parts. And so I just wanted to clarify that point.



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Also, to reemphasize that we are going through the summer months, through the Education Committee, and working with Montgomery County Council PTAs - (Laughter)

Council President Praisner,  
Fine, fine.

Council Vice President Knapp,  
That's right. We're looking at a CIP Task Force that will be looking at ways to look at how we establish some of the priorities for the upcoming CIP projects as we approach a full CIP year, a way to better clarify and streamline what projects are going where, and to make the process somewhat more transparent. There are many different capital projects within the School System that address a myriad of issues. And it's very cumbersome for people even in the know to understand what's going where. And so we're going to be working on that, too, as we start the whole capital project which, I think, will help in people better understanding where the resources are, in fact, going and where their projects and where their schools, in fact, stand as it moves forward. And so I appreciate the Council President's and Ms. Floreen's notions that there are other competing priorities that we will also need to look at. But I appreciate the recommendation that Mr. Berliner has made.

Council President Praisner,  
The only other comment I would make is that the reserve is also available in its aggregate for things like cost overruns on current projects. And so far, the issue has been requests from the School System for supplementals with school construction projects and requests from County Government and others for when bids come in. Items go up as far as price versus estimate. So that's another issue that we'll have to keep in mind. Okay. The motion before us, with the addendum packet, is for number one, County Government. We've had the motion and the second. All in favor? (Show of hands) That is unanimous. Second is Montgomery County Public Schools. Is there a motion?

Council Vice President Knapp,  
So moved.

Councilmember Floreen,  
Second.

Council President Praisner,  
Vice President Knapp, second by Councilmember Floreen. All in favor? (Show of hands) Unanimous. Montgomery College. There is an addendum that was distributed with some revisions. I just want to make sure folks have seen that. Is there a motion?

Councilmember Trachtenberg,  
So moved.



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1 Councilmember Elrich,  
2 Second.

3  
4 Council President Praisner,  
5 Councilmember Trachtenbeg, seconded by Councilmember Elrich. All in favor? (Show  
6 of hands) It is unanimous. The Park and Planning Commission Capital Budget. Is there  
7 a motion?

8  
9 Councilmember Elrich,  
10 So moved.

11  
12 Councilmember Floreen,  
13 Second.

14  
15 Council President Praisner,  
16 Councilmember Elrich, second by Councilmember Floreen. All in favor? (Show of  
17 hands) That is unanimous. We now come to the Revenue Authority. Is there a motion?

18  
19 Councilmember Floreen  
20 Move for approval.

21  
22 Council Vice President Knapp,  
23 Second.

24  
25 Council President Praisner,  
26 Councilmember Floreen. Second, Vice President Knapp. All in favor? (Show of hands)  
27 Unanimous. Housing Opportunities Commission. Is there a motion?

28  
29 Councilmember Andrews,  
30 So moved.

31  
32 Councilmember Leventhal,  
33 Second.

34  
35 Council President Praisner,  
36 Councilmember Andrews. Second, Councilmember Leventhal. All in favor? (Show of  
37 hands) That's unanimous. Thank you. The Aggregate Capital Budget for County  
38 General Obligation Bonds - Spending Affordability Guidelines. Motion? Councilmember  
39 Trachtenbeg. Is there a second? Councilmember Elrich. All in favor? (Show of hands)  
40 That is unanimous. Aggregate Capital Budget for Park and Planning Bonds - Spending  
41 Affordability Guidelines. Is there a motion?

42  
43 Councilmember Leventhal,  
44 So moved.



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1 Councilmember Elrich,  
2 Second.

3  
4 Council President Praisner,  
5 Councilmember Leventhal, second by Councilmember Elrich. All in favor? (Show of  
6 hands) Unanimous. FY08 State Participation. Is there a motion?

7  
8 Councilmember Leventhal,  
9 So moved.

10  
11 Council Vice President Knapp,  
12 Second.

13  
14 Council President Praisner,  
15 Councilmember Leventhal. Second by Vice President Knapp. All in favor? (Show of  
16 hands) Unanimous. Okay. We now move to the second set of actions. Those are the  
17 resolutions for the FY08 Operating Budget. County Government. I believe there's a  
18 modification on that. Councilmember Leventhal.

19  
20 Councilmember Leventhal,  
21 Thank you, Madame President. In the Montgomery Cares Program, the Health and  
22 Human Services Committee and the Council have been in communication with the  
23 Department. And it's necessary to change \$93,960 from the Operating Expense  
24 category to the Personnel Cost category. This is no change to the total appropriation for  
25 Montgomery Cares. This simply allows the Department to move expeditiously to hire  
26 two new positions that have been approved by the Health and Human Services  
27 Committee.

28  
29 Councilmember Floreen,  
30 Move for approval with the change.

31  
32 Councilmember Leventhal,  
33 So I'm making the motion.

34  
35 Councilmember Floreen,  
36 Second, I guess.

37  
38 Council President Praisner,  
39 Okay. Then it's been moved to approve the resolution with that modification. Second by  
40 Councilmember Floreen.

41  
42 Councilmember Leventhal,  
43 And I believe that my colleagues on the Health and Human Services Committee have  
44 all approved this.



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1 Council President Praisner,  
2 Right.

3  
4 Councilmember Leventhal,  
5 So this comes before us as a Committee recommendation.

6  
7 Council President Praisner,  
8 All right. All in favor of the County Government, please indicate by raising your hand.  
9 (Show of hands) That is unanimous. We now move to Montgomery County Public  
10 Schools. Is there a motion?

11  
12 Councilmember Berliner,  
13 So moved.

14  
15 Councilmember Ervin,  
16 Second.

17  
18 Council President Praisner,  
19 Councilmember Berliner, second Councilmember Ervin. All in favor? Oops! I'm sorry.  
20 Mr. Andrews.

21  
22 Councilmember Andrews,  
23 Thanks. I wanted to say that I think it is going to be very important in the coming year for  
24 the County Council – and I know the Education Committee plans to do this – to track the  
25 effectiveness of the results of the School System's implementation of its proposal to  
26 close the middle school and high school learning centers. There was a great deal of  
27 concern in the community about how the issue was presented and the exclusion of  
28 parents from the development of the proposal. There's a lot of concern here at the  
29 Council as well about its effect. And I include myself among those who think that it's  
30 very problematic and that we need to, as well as the School Board of course, follow its  
31 impact very carefully to see how it goes. So I wanted to make that comment because I  
32 think this is an issue that will require continuing attention by the School Board and by all  
33 interested people here at the Council.

34  
35 Council President Praisner, \*\*\*\*\*

36 Okay. Then can we vote on the School System resolution? All in favor? (Show of  
37 hands) Unanimous. Thank you. We now move to Montgomery College. Vice President  
38 Knapp?

39  
40 Council Vice President Knapp, 107

41  
42 Thank you, Madame President. I just had one quick question for clarification for Mr.  
43 Sherer. MCAEL had requested that we move funds from the current fiscal year to the  
44 next fiscal year because they hadn't been expended yet. And I just wanted to make sure  
45 where in the resolution it shows, or at least to make sure that we've got that captured  
46 because -- where it'll change the way we've requested in the Committee.



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1  
2 Chuck Sherer,  
3 Well. it's not in the College's budget at all.

4  
5 Council Vice President Knapp,  
6 Okay.

7  
8 Chuck Sherer,  
9 It's appropriated in the County Government's budget because the Executive had  
10 recommended \$400,000 for MCAEL in FY08. And you increased that by about  
11 \$115,000 in the community grant.

12  
13 Council Vice President Knapp,  
14 Okay. So what we do is just -- we just re-appropriated the -- we let the resources lapse,  
15 and then we re-appropriated the additional \$115,000 to the following year?

16  
17 Chuck Sherer,  
18 Yes, you could say it that way. You increased the appropriation from what the Executive  
19 recommended by about \$115,000. That's in the County Government's resolution.

20  
21 Council Vice President Knapp,  
22 Great. Great.

23  
24 Council President Praisner,  
25 All right. So on Montgomery College -- all in favor? (Show of hands) Unanimous.  
26 Maryland-National Capital Park and Planning Commission Operating Budget. Is there a  
27 motion?

28  
29 Councilmember Elrich,  
30 So moved.

31  
32 Councilmember Floreen,  
33 Second.

34  
35 Council President Praisner,  
36 Councilmember Elrich. Second, Councilmember Floreen. All in favor? (Show of hands)  
37 Unanimous. Administrative Expense Budget of the Washington Suburban Transit  
38 Commission. Councilmember Leventhal. Second? Councilmember Floreen. All in favor?  
39 (Show of hands) Unanimous. Aggregate Operating Budget - Spending Affordability  
40 Guidelines? Vice President Knapp, seconded by Councilmember Trachtenberg. All in  
41 favor? (Show of hands) Unanimous. We now move to resolutions that we must approve.  
42 Number one is the Washington Suburban Sanitary Commission FY08-13 Capital  
43 Improvements Program. Moved by Councilmember Floreen; second, Councilmember  
44 Ervin. All in favor? (Show of hands) That is unanimous. The WSSC -- FY08 Capital and  
45 Operating Budgets, is there a motion? Councilmember Ervin; second, Councilmember  
46 Elrich. All in favor? (Show of hands) That is unanimous. The Cable Television



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1 Communications Plan, is there a motion? Councilmember Trachtenberg. Is there a  
2 second? Councilmember Berliner. All in favor? (Show of hands) That is unanimous.  
3 Now we move to a Resolution to establish the FY08 Property Tax Rates. Is there a  
4 motion? Councilmember Andrews. Is there a second? Councilmember Berliner. All in  
5 favor? (Show of hands) Unanimous. Resolution to authorize the substitution of Current  
6 Revenue for General Obligation Bonds in FY08. Motion made by Councilmember  
7 Trachtenbeg. Is there a second?

8  
9 Councilmember Floreen,  
10 Second.

11  
12 Council President Praisner,  
13 Councilmember Floreen. All in favor? (Show of hands) That is unanimous. Thank you.  
14 That completes the actions on the budget for this year. Again, I want to thank my  
15 colleagues for their cooperation and very in-depth participation. As was indicated by  
16 several of my colleagues, this is not a three-month process for this Council. And we will  
17 be deeply engaged in committee meetings and working with our staff on a variety of  
18 elements of the budgets, including requests and review of materials which we are now  
19 requiring come from other agencies to us. So I look forward to seeing that information.  
20 We now have before us a consent calendar. Is there a motion?

21  
22 Councilmember Floreen,  
23 Move for approval.

24  
25 Councilmember Ervin,  
26 Second.

27  
28 Council President Praisner,  
29 Moved by Councilmember Floreen; second by Councilmember Ervin. I want to make  
30 two comments about items C and D. Those are resolutions that I'm sponsoring at the  
31 request of the Planning Board that relate to the County Growth Policy. The Public  
32 Hearings -- and there will be two hearings. The first hearing will be on the 19th, and we'll  
33 start at 8:00 p.m. or shortly thereafter in order to allow councilmembers to participate at  
34 least partially in the Chamber of Commerce annual dinner. And the second hearing will  
35 be held on June 26th at 7:30 p.m. All in favor of the consent calendar?

36  
37 Councilmember Floreen,  
38 I have a question.

39  
40 Council President Praisner,  
41 Yes, Councilmember Floreen.

42  
43 Councilmember Floreen,  
44 Council staff on items 21C and 21D –

45  
46 Council President Praisner,



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Well, we're going – oh, okay. Go ahead. I'm sorry.

Councilmember Floreen,

Yeah. I just want to make sure that the subject line is broad enough to entail whatever tinkering we might choose to provide – not only some of the policy issues that are identified in the Growth Policy Proposal, but certainly with respect to the Impact Tax Rates.

Michael Faden,

On the Impact –

Councilmember Floreen,

It doesn't say a range; it just says, "This is the number."

Michael Faden,

Yes. We will make sure that the advertisement makes it clear that the Council is free to change those numbers in any way. The Rate Resolution can only change the numbers, but you have full discretion to move them in any direction you like.

Councilmember Floreen,

Right. But I just wanted to make sure that the notice on that – and also with respect to the Growth Policy language as well – is sufficiently inclusive to permit adjustments as the Council might choose to adopt. Since this was drafted down at Park and Planning, I'm not sure that they quite used the ordinary language that we might -- maybe they did.

Council President Praisner,

Well, actually I think Mr. Faden –

Michael Faden,

They, with a little editing from us, brought this to us in a form suitable for introduction. You will -- again it will be advertised broadly. It's a comprehensive amendment to the Growth Policy. So within the broad scope of the Growth Policy, you can go in any direction you wish.

Councilmember Floreen,

Okay. The subject line just was not -- didn't quite say that. That's why I was concerned. That's all. Okay. Thanks.

Council President Praisner,

Councilmember Leventhal.

Councilmember Leventhal,

I just want to take the opportunity to say -- I know this is unavoidable -- there were concerns earlier in the year when we had a related matter in a Public Hearing as to those witnesses who got a chance to testify. And I anticipate there's going to be a great deal of interest from the community and testifying on both of the nights that the Council President has identified. And I just urge, in the best possible spirit, that we make every





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1 effort to accommodate as many witnesses as we possibly can. I know that I'm certainly  
2 available on both nights to stay as late as need be. And in particular, I guess I have a  
3 concern that -- again, I mean this in the best possible spirit -- we tend to look to two  
4 communities for comments on these issues. We tend to look to those who are in the  
5 business of construction and development. And we tend to look to those who are -- let  
6 me say -- have been very active in home owners organizations. And I just hope that we  
7 can make every possible effort to include testimony from those who may represent a  
8 variety of interests in the community that may not be civic activists or  
9 builders/developers.

10  
11 Council President Praisner,  
12 Folks have an equal opportunity to sign up to request to testify. That's why we're having  
13 two evenings of testimony, is to broaden the opportunity and also to accommodate  
14 those who may be at the Chamber of Commerce dinner on the 19th -- to allow them  
15 another evening to testify. Councilmember Leventhal, still?

16  
17 Councilmember Leventhal,  
18 I just want to say, on one of the issues that gave rise to this point was that I was not  
19 present a couple of weeks ago when the Planning Board held a Saturday morning panel  
20 on Growth Policy. But all of the speakers were pretty easily categorized, either as civic  
21 activists or as those who are in the building and development industry or  
22 representatives of the Chamber of Commerce. And, you know, I represent 950,000  
23 constituents -- a very tiny minority of whom are either builders, developers, or leaders of  
24 civic organizations. And I do think that the effect on the economy of the debate we're  
25 about to have, and the effect on the County over the years to come, is quite substantial  
26 and quite widespread and affects many, many other people beyond just those in just  
27 one category and another. And, again, I will make every effort to spread the word to the  
28 people that I know. But I hope our witness list would not similarly be categorized as  
29 either "A" or "B" since most of the people we represent are neither "A" nor "B."

30  
31 Council President Praisner,  
32 Councilmember Berliner.

33  
34 Councilmember Berliner,  
35 Thank you, Madame President. I wanted to move to a different topic with respect to item  
36 F and make sure that my colleagues appreciate -- as I know the Chair of the MFP  
37 Committee does and the Council President does -- that we are now appointing our  
38 Charter Review Commission. And, folks, I believe and I just wanted to say, I thought we  
39 had very, very strong candidates and that the group that we selected is an excellent  
40 group -- and particularly commend to you the new Chair, Nancy Soren, who I think will  
41 do an excellent job.

42  
43 Council Vice President Knapp,  
44 Okay. Vice President Knapp. Thank you, Madame President. In reference back to C  
45 and D -- and in particular, a memo that you'd circulated the other day -- obviously since  
46 we've been doing the budget, I've just begun my review of the Planning Board's



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activities. And so I don't have any specific proposals to submit at this time, but just want to reserve the right to do that as we may get there, in response to your memo.

Council President Praisner,

What Vice President Knapp is referring to is I sent a memo to my colleagues encouraging if folks had general topics or specific suggestions that they knew of from having taken a preliminary look at the Planning Board's recommendations, that I would encourage them to make reference to them today such that we can make sure the advertising is broad – which we've already made sure. And also to the extent folks want to comment, they can comment not only on the Planning Board's recommendations, but anything else that may have been raised by councilmembers. And it was with that intent, obviously. Other things may come up, but I think it's important to provide as much opportunity for public comment as possible. Councilmember Floreen.

Councilmember Floreen,

Thank you. I'm sorry. I wouldn't ordinarily bring this up in a full Council meeting, but I wanted to make a formal request that given the schedule that you've identified for the Public Hearings for the Growth Policy, we have the first committee worksession on that after the Public Hearing process has concluded.

Council President Praisner,

Unfortunately, that's not possible in order to still have three committee hearings.

Councilmember Floreen,

Given the conflict with a major business event the week before -- two weeks earlier -- it's really going to make it difficult for us to have everybody's testimony prior to actually taking it up in committee and prior to staff having a chance to look at that. So I renew my request --

Council President Praisner,

Well, I anticipate -- I understand that; but I've already discussed that with Linda, and it's not possible. We will use the first committee meeting to do a broad overview. There will be no actions -- or it will be a discussion meeting. So I think that, unfortunately, is the only way that we can make sure that we have at least three committee meetings on the Growth Policy.

Councilmember Floreen,

Well, I appreciate the scheduling challenges we all face. But we're skipping a week in the meantime; and as a result, we're going to start work on something before we've heard from the community publicly. And I think that's -- because it's such a challenging environment, and as we've heard from at least some of our colleagues, there is some concern about inclusiveness and understanding the range of issues out there. I just urge that we give everybody's comment on this the attention that it deserves at the staff level and at the committee level.



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Council President Praisner,

Well, I can assure you that staff will pay attention, and the meetings will be televised. But the first one has to occur before the Public Hearings are completed and can build on what we hear at the first hearing, and then we can amplify at the second meeting what we hear on the second hearing. Anything else on the consent calendar? If not, all in favor? Oh, I'm sorry. Councilmember Trachtenbeg.

Councilmember Trachtenberg,

Mm-hmm. No, it's quite all right. Just some brief comments. I did send a memo around to colleagues in response to the Council President's request, and I just want to publicly state what was in the memo. And clearly the first issue that I raised was really defining objectives in terms of a collective vision. And I really feel very strongly that that has to be part of what we actually massage in those Public Hearings, but also in all worksessions. The other thing I mentioned in my memo was the exact role of the Council regarding the planning vision, its implementation, and even its oversight. I also raised the issue around public engagement and perhaps improving upon the ways that we do work with the entire community when we work on a planning policy. And the last thing I raised in the memo, which I underscore, is really the importance that this work not be done in isolation, but that it actually be done in a unified way so that we have the benefit of not only the vision, but of everyone really being on the same page. And, again, I encourage that those issues be addressed as we work in the next few weeks and months ahead.

Council President Praisner,

In the spirit of my own memo, I'd like to suggest to staff -- or at least to the folks -- that I'm interested in looking at Impact Taxes in the way in which we calculated them in the past; namely, specific costs for specific projects by area rather than in the four broad sense categories that they are listed now -- and looking at the calculations of specific projects and then defining what the costs might be for those projects. And I would like staff to do some work on laying out -- and the Planning Board staff do some work on laying out what the implications of that might be. Okay? All right. We have the consent calendar in front of us. All in favor? That is unanimous. Thank you. We will move now to District Council Session. The first item is Subdivision Regulation Amendment 07-01, Adequate Public Facilities -- Validity Period, sponsored by the Council President at the request of the Planning Board. This resolution, a Public Hearing because of the requirements with the Subdivision Reg, can at the earliest be scheduled July 10th at 1:30 p.m. And I would entertain a motion for the resolution.

Councilmember Elrich,

So moved.

Councilmember Trachtenberg,

Second.



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1 Council President Praisner,  
2 Councilmember Elrich, second by Councilmember Trachtenbeg. All in favor? (Show of  
3 hands) That is unanimous. The second item is the Resolution to approve use of  
4 Advance Land Acquisition Funds (ALARF) for acquisition of real property – George and  
5 Shirley B. Young property for the Oakmont Avenue Right-of-Way. Is there a motion?  
6

7 Councilmember Ervin,  
8 So moved.  
9

10 Council President Praisner,  
11 Councilmember Ervin. Is there a second?  
12

13 Councilmember Floreen,  
14 Second.  
15

16 Council President Praisner,  
17 Councilmember Floreen. All in favor? (Show of hands) That is unanimous. We now  
18 move into Legislative Session Day # 16. Is there a Legislative Journal, Madame Clerk?  
19

20 Council Clerk,  
21 We have the Legislative Journals of April 17th and 24th.  
22

23 Council President Praisner,  
24 Is there a motion to approve the Journals of April 17th and 24th? Councilmember Ervin;  
25 second, Councilmember Elrich. All in favor? (Show of hands) That is unanimous. Okay.  
26 We have three bills which we are introducing: Bill 9-07, Growth Policy – Amendments,  
27 sponsored by the Council President at the request of the Planning Board; Bill 10-07,  
28 Impact Tax – Amendments, sponsored by the Council President at the request of the  
29 Planning Board; And Bill 11-07, Recordation Tax - Rate, sponsored by the Council  
30 President at the request of the Planning Board. Public Hearings for all three of those will  
31 be on June 19th at 8:00 p.m. and on June 26th at 7:30 p.m. There being no further  
32 business to come before the Council, we are adjourned.